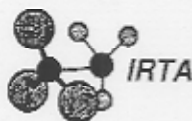


**Institute for Research and  
Technical Assistance**  
a nonprofit organization



May 12, 2006

Clerk of the Board  
Air Resources Board  
1001 I Street, 23rd Floor  
Sacramento, CA 95814

BY FAX

To Whom It May Concern:

I am writing on behalf of the Institute for Research and Technical Assistance (IRTA) with comments on the Amendments to the Control Measure for Perchloroethylene Dry Cleaning Operations which will be considered at the Board Hearing scheduled for May 25, 2006. IRTA is a technical nonprofit organization that focuses on finding safer alternatives for companies and whole industries.

Over the last few years, IRTA worked on a project sponsored by the Air Resources Board (ARB) and U.S. EPA to evaluate and assess alternatives to perchloroethylene (PERC) dry cleaning. The final report, which compared the performance and cost of PERC and the alternatives, was issued in August 2005. The results of the research indicated that the alternatives to PERC dry cleaning were being used by many dry cleaners and that virtually all cleaners that had converted from PERC to the alternatives were satisfied with the technology they had chosen.

The ARB staff is recommending that your Board adopt an amendment to the Airborne Toxic Control Measure (ATCM) that would allow the continued use of PERC. I am writing to urge you to direct the staff to develop a regulation that would phase out PERC in dry cleaning altogether. There are five major reasons that a phaseout is the best strategy and I discuss these below.

First, the South Coast Air Quality Management District (SCAQMD) adopted a phaseout of PERC in dry cleaning in 2002. The regulation specifies that PERC may no longer be used in dry cleaning after 2020. About half the dry cleaners in the state are in the South Coast Basin so a regulation that is more stringent than the ARB staff proposed ATCM amendment will prevail in half the state.

Second, industry and government sources estimate that about one-third of the cleaners in the state have converted to alternative technologies and no longer use PERC. This demonstrates that alternatives to PERC are widely available and extensively used.

Third, the private sector will phase out PERC use in dry cleaning by about 2021. PERC and trichloroethylene (TCE), a biodegradation product of PERC, have been found in the soil at nearly all dry cleaning facilities that have been tested. In many cases, because of improper disposal of separator water, the PERC and TCE have penetrated the sewer and have made their way through the soil to the groundwater below. The cost of cleaning up sites that are contaminated can range from \$50,000 to several million dollars. More than 95 percent of the cleaners in the state lease their facilities; only a few cleaners own their own

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buildings. Virtually all landlords have language in the lease that prohibits dry cleaners from using PERC upon lease renewal because the landlords do not want to assume the cleanup responsibility. Shopping center leases generally have a 10 year life with a five year option to renew. On this basis, fifteen years from now in 2021, there will be very few cleaners that still use PERC.

Fourth, the staff's recommendation to allow the continued use of PERC will hurt the dry cleaning industry. If a state regulation allows PERC to be used in the future years, dry cleaners will assume it has the stamp of approval of the state. Many cleaners will buy new PERC machines to comply with the ARB requirement that machines have secondary control. Most cleaners do not pay attention to lease conditions until their lease is up for renewal and landlords will not allow them to use PERC. The cleaner, who has just purchased a new PERC machine, will have to purchase new equipment to use an alternative. This is already starting to happen in the industry and cleaners are being forced to get rid of PERC machines that are no more than two years old. This places a very high financial burden on cleaners and many of them may have to go out of business. The CARB action misleads cleaners into thinking PERC is "approved."

Fifth, phasing out PERC dry cleaning will eliminate the cancer risk posed by PERC to the community and the risk posed to workers in dry cleaning facilities. ARB staff estimates that the risk posed by cleaning facilities after implementation of the amendments to the ATCM could still be as high as 25 in a million. It is not good public policy to allow this risk when an alternative--a complete phaseout with a zero risk from PERC--is a viable option.

In the working group meetings and at the workshops, the ARB staff indicated that a major factor in the decision to not propose a phaseout of PERC was that the primary alternative is the hydrocarbon technology. The staff was concerned that VOC emissions would increase. The staff report indicates that a complete conversion of the industry from PERC to hydrocarbon would result in an increase of VOC emissions statewide of 1.4 tons per day. The proposed ATCM amendments would lead to an increase of VOC emissions in the state of 0.6 tons per day. The difference in emissions from a phaseout and adoption of the proposed amendments would amount to only 0.8 tons per day. The staff report also indicates that adoption of the SCAQMD phaseout and the proposed ATCM would lead to a reduction in PERC emissions of 4.3 tons per day. An even greater reduction in PERC use could be achieved if ARB decided to phase out PERC entirely.

When the SCAQMD considered their rule that was passed in 2002, they were aware that there would be an increase in VOC emissions from cleaners using hydrocarbon when they phased out PERC. The SCAQMD evaluated the tradeoff and appropriately concluded that it was better to phase out a carcinogen that could still pose a cancer risk as high as 80 in a million even if there was an increase in VOC emissions.

ARB is currently evaluating an amendment to their Consumer Product Regulation. ARB has regulated automotive aerosol cleaners in the past but emissions from this category still amount to about 10 tons per day. IRTA recently completed two projects that involved automotive aerosol products, one sponsored by ARB and the other sponsored by the California Department of Health Services. IRTA developed and demonstrated alternative low-VOC, low toxicity alternatives at several auto repair facilities. Many of the larger auto repair facilities are routinely using extremely low VOC cleaners because of a SCAQMD regulation. Alternatives are clearly available and being used in the industry. The low VOC content of the alternatives would allow CARB to reduce the VOC emissions in this category by at least 75 percent. The reduction of 7.5 tons per day from further regulation of this

consumer product category would more than offset the incremental increase in VOC emissions of 0.8 tons per day that could result from a PERC phaseout in dry cleaning.

In summary then, it is not clear why ARB is not taking the logical action to phase out the use of PERC dry cleaning and, instead is proposing a regulation that is irrelevant. The SCAQMD which represents half the state dry cleaners is going forward with a phaseout. The private sector, the landlords that lease space to dry cleaners, will no longer allow the use of PERC. Alternatives are already extensively used by cleaners. The regulation proposed by ARB will hurt dry cleaners by giving the message that continued use of PERC is acceptable when it is not. I urge the Board to direct the staff to examine and implement a regulation that will phase out PERC entirely.

I appreciate the opportunity to comment on this important issue. If there are questions about this letter, please call me at (818) 244-0300.